

Remarks

Claims 1-48 were pending before this communication. Claim 11 has been amended herein to define Applicant's invention with greater particularity. The amendment adds no new matter as it is fully supported by the original specification and claims. Claims 1-48 remain pending with claims 6, 12, 18-19, 22 and 44-48 withdrawn from consideration (the non-elected claims are retained herein pending final disposition of the elected claims). The present status of all claims in the application is provided in the Listing of Claims presented herein beginning on page 2.

The restriction of claims 1-48 under 35 U.S.C. § 121 is respectfully traversed. It is respectfully submitted that the Group I claims (directed to a method of crystallographic structure determination using hydrogen exchange analysis), the Group II claim (directed to a method of crystallographic structure determination using crystals that do not refract X-rays), the Group III claim (directed to a method of crystallographic structure determination by comparing crystals to proteins), the Group IV claims (directed method of crystallographic structure determination by comparing hydrogen stability maps), and the Group V claim (directed to characterizing conformational differences between a protein in solution and the same protein in crystal form), could readily be searched in a single application. The subject matter of each of these groups are classified in the same class/subclass. In particular, Groups I-IV each relate to the same method – protein crystallographic structure determination. Moreover, a thorough search of methods of protein crystallographic structure determination would encompass a search of the Group V comparison method. Accordingly, it is respectfully submitted that no undue burden is placed on the Examiner to search all aspects of the initially claimed invention in one case.

However, in order to be fully responsive, Applicant hereby elects Group I (claims 1-43) with traverse for examination at this time.

The further requirement for an election of Category #1 species under 35 U.S.C. § 112 is also respectfully traversed. It is respectfully submitted that the Category #1 claims (directed to endopeptidases) could readily be searched in a single application. A thorough search of one endopeptidase specie would, of necessity, encompass a search of all other endopeptidase species. Accordingly, it is respectfully submitted that no undue burden is placed on the Examiner to search all aspects of the initially claimed invention in one case.

However, in order to be fully responsive, Applicant hereby elects the endoproteinase pepsin, as the disclosed specie on which to proceed with examination at this time. Claims 1-5, 7-11, 13-17 and 20-43 read upon this species.

The further requirement for an election of Category #2 species under 35 U.S.C. § 112 is also respectfully traversed. It is respectfully submitted that the Category #2 claims (directed to carboxypeptidases) could readily be searched in a single application. A thorough search of one specie would, of necessity, encompass a search of all the other species. Accordingly, it is respectfully submitted that no undue burden is placed on the Examiner to search all aspects of the initially claimed invention in one case.

However, in order to be fully responsive, Applicants hereby elect carboxypeptidase P as the disclosed species on which to proceed with examination at this time. Claims 1-10 and 12-43 read upon this species.

The further requirement for an election of Category #3 species under 35 U.S.C. § 112 is also respectfully traversed. It is respectfully submitted that the Category #3 claims (directed to pH ranges), could readily be searched in a single application. A thorough search of one specie would, of necessity, encompass a search of all the other species. The claim from which Category #3 depends encompasses both ranges described in claims 22 and 23. Accordingly, it is

respectfully submitted that no undue burden is placed on the Examiner to search all aspects of the initially claimed invention in one case.

However, in order to be fully responsive, Applicants hereby elect pH 2.5-3.0 as in claim 23, as the disclosed species on which to proceed with examination at this time. Claims 1-21 and 23-43 read upon this species.

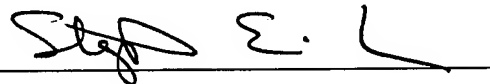
Conclusion

In view of the above amendments and remarks, reconsideration and withdrawal of the requirement for restriction, and the further requirement for election of a single disclosed species are respectfully requested. Accordingly, prompt and favorable action on all claims are respectfully requested. In the event any matters remain to be resolved in view of this communication, the Examiner is encouraged to call the undersigned so that a prompt disposition of this application can be achieved.

Respectfully submitted,

Date: June 2, 2006

By



FOLEY & LARDNER LLP
Customer Number: 30542
Telephone: (858) 847-6711
Facsimile: (858) 792-6773

Stephen E. Reiter
Attorney for Applicant
Registration No. 31,192